Re: Wallace Yard and Spur Lines Site - revised DRAFT Consent Decree

Clifford Villa to: Wurtzler, Gail Cc: Robert.Lawrence, GLHONEYM 05/20/2009 06:10 PM

Thanks, Gail.

One other thing EPA would like to discuss next week is UPRR's intended disposition of the Wallace Yard property. I mentioned this briefly in a call some weeks back, but our Superfund management has encouraged me to follow up. In particular, I believe we would like to know if there is prospective purchaser identified, if some local redevelopment entity is still a possibility, or what other kind of arrangements might be made to transfer the property to promote redevelopment in some clean/safe/productive/timely way.

You might want to have UPRR's real estate dept available for this discussion. I don't have any specific proposal in mind here, but hope we can find an hour or so to talk, perhaps outside of the big group, and see if we can come up with some ideas that might be mutually beneficial.

Cliff Villa **Assistant Regional Counsel** U.S. EPA Region 10 "Wurtzler, Gail" < Gail. Wurtzler@dgslaw.com>



"Wurtzler, Gail" <Gail.Wurtzler@dgslaw.com> 05/20/2009 05:23 PM

To Clifford Villa/R10/USEPA/US@EPA

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Subject Wallace Yard and Spur Lines Site - revised DRAFT Consent Decree

CONFIDENTIAL SETTLEMENT COMMUNICATION **SUBJECT TO FRE 408**

Cliff,

I attach a Word version and "redline" of the draft proposed Consent Decree showing changes that Settling Defendants propose to the version you sent on April 17, 2009. This draft has not yet been approved by Union Pacific and BNSF management, and the railroad representatives attending next week's meetings may therefore suggest additional changes.

To try to move one of the unresolved issues toward closure, we inserted in Paragraph 11 a proposal regarding the implementation of the Basin Property Remediation Program on the spur lines. The insert is based on provisions in the draft Residential Use Area Agreement that we had previously discussed with the State.

Please call or email if you have any questions or wish to discuss any of the changes prior to next week's

meetings. Thank you.

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